

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 17, 2001

DIVISION ONE

B137385 Frederick (Not for Publication)
v.
Los Angeles Community College District et al.

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Ortega, J.

B141113 People
v.
Dallas W.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION TWO

[illegible]

The judgment is affirmed.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

January 17, 2001-Continued

DIVISION TWO (Continued)

B139583 Enayati (Not for Publication)
v.
Santa Monica Rent Control Board

The judgment appealed from (denial of the writ petition as to the removal permit petition for 2-5) is affirmed.

Cooper, J.

We concur: Boren, P.J.
 Todd, J.

B133556 Bendorf (Not for Publication)
v.
Isocor

Summary judgment is reversed, and the matter is remanded for proceedings consistent with this opinion. Respondent Isocor to bear costs on appeal.

Cooper, J.

We concur: Boren, P.J.
 Todd, J.

B136446 People (Not for Publication)
v.
Carlisle

The judgment is affirmed.

Cooper, J.

We concur: Boren, P.J.
 Todd, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Fidler, J. (Assigned) and Valorie Gray, Deputy Clerk.

Each of the following:

B137365 People v. Williams
B137374 People v. Ossey
B140787 People v. Thomas
B140364 People v. Black
B142725 People v. Alacala
B142239 People v. Burgess
B139357 People v. Jordan
B147407 People v. Alicia
B124962 People v. Jackson
B140890 People v. Vega
B139694 People v. Hun
B135760 People v. Tucker
B137493 People v. Gonzalez
B132857 People v. Garcia
B137974 People v. Yacoub
B138371 People v. Jones
B141263 People v. Medina
B139051 People v. Marcos D.
B136916 People v. Kaheal P.
B142480 People v. Angelica O.
B138807 People v. Armin V.
B140356 People v. George Q.
B142586 People v. Rodriguez
B142976 People v. Charles J.
B140792 People v. Lopez
B142249 People v. Mathis
B143100 People v. Ortiz
B141108 People v. Javier R.
B141202 People v. Maria C.
B143423 People v. Aviles
B141176 People v. Galvan

DIVISION THREE (Continued)

Each of the following (continued):

B143873 People v. Sonny D.
B140313 People v. Newton
B137443 Lerner v. Lerner
B126178 Robinson v. Gateways To Space, Inc., et al.

Argument waived, cause submitted.

B140535 Vigil
v.
Greenberg et al.

Merits:
Argued by Denise Sutherland for respondents and by Laurence M.
Scharnberger for appellant. Cause submitted.

B135907 Matticx
v.
Soyak

Merits:
Argued by Adam Steven Rossman for appellants and by Ronald L. Gallant
for respondents. Cause submitted.

B135734 Sullivan
v.
Sullivan

Merits:
Argued by Edward J. Haggerty for appellant and by Elizabeth J. Garland
for respondent. Cause submitted.

DIVISION THREE (Continued)

B127484 People
 v.
 Mbagwu et al.

Merits:
Argued by William J. Capriola and John Doyle for appellants and by Carl N. Henry, deputy attorney general, for respondent. Cause submitted.

B137926 People
 v.
 Diaz

Merits:
Argued by Barbara Smith for appellant and by Roy Preminger, deputy attorney general, for respondent. Cause submitted.

B142469 People v. Phelan
B144834 In re John Phelan on Habeas Corpus

Merits:
Argued by Richard L. Fitzer for appellant and by Michael W. Whitaker, deputy attorney general, for respondent. Cause submitted.

B142781 Schiff
 v.
 Weinstock, Manion, Reisman, Shore & Neuman

Merits:
Argued by Richard Sherman for appellant and by Mike Muttart for respondents. Cause submitted.

DIVISION THREE (Continued)

B135435 Ananyan
 v.
 Wells Fargo Bank, Inc.

Merits:
Argued by Leon Kirakosian and by Tony Pogosyan for appellants and by Karin Ann Dougan Vogel for respondent. Cause submitted.

B138832 Cook
 v.
 County Of Los Angeles et al.

Merits:
Argued by David M. DeRubertis for appellant and by Valerie Rojas and Jeffrey Barron for respondents. Cause submitted.

B137683 Amjadi
 v.
 Board Of Supervisors Of The County Of Los Angeles

Merits:
Argued by Richard I. Fine for appellant and by Sharon A. Reichman, deputy county counsel, for respondent. Supplemental letter brief due by respondent on January 22, 2001, reply due by appellant on January 29, 2001. Submission deferred.

B134742 Henkel Corporation
 v.
 Lloyd's of London et al.

Merits:
Argued by Robert M. Mason, II for appellant and by William C. Heck, Alan S. Berman and Patrick Hofer for respondents. Cause submitted.

Court recessed at 1:00 P.M.

DIVISION THREE (Continued)

Court reconvened at 2:00 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Fidler, J. (Assigned) and Valorie Gray, Deputy Clerk.

B139636 People
 v.
 Rowen

Merits:

Argued by William J. Capriola for appellant and by David A. Wildman, deputy attorney general, for respondent. Cause submitted.

B137013 People
 v.
 Williams

Merits:

Argued by Michael S. Evans for appellant and by Noah P. Hill, deputy attorney general, for respondent. Cause submitted.

B141950 People
 v.
 Rodriguez

Merits:

Argued by Sheila A. Keiter for appellant and by Karla Cottis, deputy attorney general, for respondent. Cause submitted.

B133445 People
 v.
 American Surety Insurance Company et al.

Merits:

Argued by Brendan Pegg for appellants and by H. Anthony Nicklin, deputy county counsel, for respondent. Cause submitted.

DIVISION THREE (Continued)

B130222 People
 v.
 Blackman

Merits:

Argued by Julie S. Hernandez for appellant and by Gary A. Lieberman, deputy attorney general, for respondent. Cause submitted.

B143841 Hightower
 v.
 S.C.L.A.
 O'Dowd

Merits:

Argued by Robin Meadow for petitioner and by Frank E. Merideth for real party in interest. Cause submitted.

B131655 Spielholz et al.
 v.
 S.C.L.A.
 Los Angeles Cellular Telephone Co., et al.

Merits:

Argued by William S. Dato for petitioners and by Mark A. Perry for real parties in interest. Cause submitted.

Court adjourned at 4:00 P.M.

DIVISION FOUR

B137424 William Cuong Ngo et al. (Not for Publication)
v.
Saeed Hekmat-Niaz et al.

The judgment is affirmed. Respondents are awarded their costs on appeal.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B142371 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Kathleen A.

The order is reversed and the cause remanded for further proceedings consistent with the views expressed in this opinion.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Lewin, J. (Assigned)

B144732 Marlene S. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services et r.p.i.)

The petition for writ of mandate is denied.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

DIVISION FOUR (Continued)

B135776 County of Los Angeles (Not for Publication)
v.
Rita L. Saenz, as Director, etc., et al.

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B139193 D. L. Scott et al. (Not for Publication)
v.
20th Century Insurance Company

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B140182 Outpatient Surgical/Medical (Not for Publication)
Unit of Santa Monica et al.
v.
Healthsouth Corporation et al.

The judgment is reversed with respect to the first, second, third, fourth, fifth, eighth, and fourteenth causes of action, and otherwise affirmed. The matter is remanded for further proceedings in accordance with this opinion. The parties are to bear their own costs.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B133067 Ronald McCord (Not for Publication)
 v.
 Wal-Mart Stores, Inc.

The orders (as amended herein) are affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
 Hastings, J.

B130841 The People (Not for Publication)
 v.
 Ranger Insurance Company

Both the order of March 17, 1999, denying the request to vacate the forfeiture and exonerate the bond, and the judgment are affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
 Hastings, J.

B139261 People (Not for Publication)
 v.
 Christine B. Laing

The judgment is reversed as to count 1 and the cause remanded for a new trial on that charge; in all other respects, the judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

DIVISION FOUR (Continued)

B138372 People (Not for Publication)
v.
Pedro A. Monterrosa

The trial court is directed to prepare a modified abstract of judgment to reflect the conviction on counts 1 and 2 are for attempted genital penetration by foreign object. As modified, the judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FIVE

B137678 Azucena Sanchez-Scott (Certified for Publication)
v.
Alza Pharmaceuticals et al.

The judgment of dismissal and the order sustaining the demurrer to the first cause of action are reversed. The judgment of dismissal and order sustaining the demurrer to the second cause of action is affirmed. Plaintiff is to recover her costs on appeal from defendants, Alza Pharmaceuticals, Alza Corporation, and Robert Martinez.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

B134203 The CIT Group/Sales Financing, Inc. (Not for Publication)
v.
Barton A. Buhtz et al.

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION FIVE (Continued)

B136673 Alfred Moore (Not for Publication)
 v.
 County of Los Angeles

The appeal is dismissed. The parties are to bear their own costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B131127 Brian Prince et al. (Not for Publication)
 v.
 Jerry Hammer et al.

The judgment is affirmed. Jerry Hammer, Lisa Hammer, and Carrie Feldman shall recover their costs on appeal from Brian Prince.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B142701 People (Not for Publication)
 v.
 Shane P.

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Godoy Perez, J.

DIVISION FIVE (Continued)

B136943 Malcolm S. McNeil (Not for Publication)
 v.
 Parviz Setareh et al.

The judgment is affirmed. Attorney McNeil is to recover his costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B138509 People (Not for Publication)
 v.
 Paula May

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B122979 People (Not for Publication)
 v.
 Sung Woo

The order is reversed. The matter is remanded to the superior court for further proceedings in accordance with this opinion and *People v. Superior Court (Zamudio)*, *supra*, 23 Cal.4th 183.

Grignon, J.

We concur: Turner, P.J.
 Godoy Perez, J.

January 17, 2001-Continued

DIVISION FIVE (Continued)

B142148 People (Not for Publication)
v.
Daniel Joseph Garcia

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Godoy Perez, J.

DIVISION SIX

B138293 Williams (Not for Publication)
v.
Cowell

The judgment is affirmed. Appellant's request for costs and attorney's fees on appeal is denied.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

[illegible]

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

January 17, 2001-Continued

DIVISION SIX (Continued)

B140895 Kampe (Not for Publication)
v.
Option One Mortgage Corporation

The judgment is affirmed. Costs to respondent.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B136907 Gutierrez (Not for Publication)
v.
Cowell

The judgment is affirmed. The parties shall bear their own costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B137025 People
v.
McIntosh

Filed order denying petition for rehearing.